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**PATENT APPLICATION**

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**RESPONSE UNDER 37 CFR §1.116**

**EXPEDITED PROCEDURE**

**TECHNOLOGY CENTER ART UNIT 3748**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Toshiaki ASADA

Group Art Unit: 3748

Application No.: 10/644,867

Examiner: K. Riddle

Filed: August 21, 2003

Docket No.: 116176

For: VALVE TRAIN SYSTEM OF INTERNAL COMBUSTION ENGINE AND CONTROL METHOD THEREOF

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the July 25, 2005 Office Action, Applicant requests reconsideration of this application. Claims 1-22 are pending.

Claims 1-3, 9, 13 and 14 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,682,854 to Ozawa. This rejection is respectfully traversed.

Ozawa does not disclose or suggest "after an intake stroke, opening and subsequently closing an exhaust valve to introduce exhaust gas into the combustion chamber" when it is determined that it is possible to improve the fuel consumption, as recited in independent claims 1 and 9. On page 5, lines 1-4 of the Office Action, the Examiner states that the Examiner "made an error in the last office action, paragraph 3, by incorrectly identifying the exhaust valve 35 opening and closing after the intake valve 33 closes, instead of the correct

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